
SENATE BILL No. 222

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-3.

Synopsis: Killing a domestic animal. Makes it killing a domestic animal, a Class D felony, for a person to knowingly or intentionally kill a domestic animal without the consent of the owner of the domestic animal. Makes the offense a Class C felony if the person knew or reasonably should have known the domestic animal was located on real property that was owned by: (1) the owner of the domestic animal; or (2) a person who keeps domestic animals on the real property for the purpose of breeding, boarding, or training domestic animals. Makes domestic violence animal cruelty a Class C felony instead of a Class D felony if the vertebrate animal that is killed is a domestic animal.

Effective: July 1, 2009.

Arnold

January 7, 2009, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 222

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-46-3-4.4 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]: **Sec. 4.4. (a) As used in this chapter, "domestic animal"**
4 **means an animal that is not wild.**

5 **(b) The term is limited to:**

6 **(1) cattle, calves, horses, mules, swine, sheep, goats, dogs, cats,**
7 **poultry, ostriches, rhea, emus, or other birds;**

8 **(2) an animal of the bovine, equine, ovine, caprine, porcine,**
9 **canine, feline, avian, camelid, cervidae, or bison species; or**

10 **(3) an aquatic animal that may be the subject of aquaculture**
11 **(as defined in IC 15-11-7-1).**

12 SECTION 2. IC 35-46-3-12.3 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2009]: **Sec. 12.3. (a) A person who knowingly**
15 **or intentionally kills a domestic animal without the consent of the**
16 **owner of the domestic animal commits killing a domestic animal,**
17 **a Class D felony.**



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1 **(b) However, the offense described in subsection (a) is a Class C**
2 **felony if the person knew or reasonably should have known that**
3 **the domestic animal was located on real property that was owned**
4 **by:**

5 **(1) the owner of the domestic animal; or**

6 **(2) a person who keeps domestic animals on the real property**
7 **for the purpose of breeding, boarding, or training domestic**
8 **animals.**

9 SECTION 3. IC 35-46-3-12.5, AS ADDED BY P.L.171-2007,
10 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2009]: Sec. 12.5. **(a)** A person who knowingly or intentionally
12 kills a vertebrate animal with the intent to threaten, intimidate, coerce,
13 harass, or terrorize a family or household member commits domestic
14 violence animal cruelty, a Class D felony.

15 **(b) However, the offense described in subsection (a) is a Class C**
16 **felony if the vertebrate animal is a domestic animal.**

17 SECTION 4. [EFFECTIVE JULY 1, 2009] **This act applies only to**
18 **offenses committed after June 30, 2009.**

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